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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

QUESTION OF HUMAN RIGHTS IN CYPRUS

Letter dated 25 February 1991 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the forty-seventh session of the Commission on Human Rights

I have the honour to enclose herewith an information note on the human rights violations inflicted upon the people of the Turkish Republic of Northern Cyprus by the Greek Cypriots.

I should be grateful if my letter and its enclosure were circulated as a document of the Commission on Human Rights under agenda item 12 (a).

(Signed) Cem DUNA
Ambassador

Violations of human rights of the Turkish Cypriots in the economic, social and cultural fields

1. In looking at and examining the question of human rights in Cyprus one has to look at the Constitutional set-up when the Republic was established by the two national communities (Turkish Cypriots and Greek Cypriots) in 1960.

2. Under this Constitution, human rights were properly provided for and adequately protected. In addition to these individual rights, the Constitution provided for the political equality of the two co-founder communities and safeguarded their rights as distinct corporate political entities. The foundation of the State and the legitimacy of its bi-communal government rested on this concept of power-sharing between the two separate political entities, whose right of separate self-determination was recognized.

3. As acknowledged by Mr. Glafkos Klerides, the veteran politician and long-time President of the Greek Cypriot House of Representatives, in his most recent book, Cyprus: My deposition (Vol. III, pp. 236-237), it is this Constitutional set-up and the continuity of the partnership status of the two communities which was disrupted in 1963.

4. Thus, the Greek Cypriot partner, by taking up arms against the Turkish Cypriot partner, destroyed the whole basis of the existence of the Republic and sought, by force of arms, to reduce the political status of the co-founding partner, The Turkish Cypriot community, to that of a minority within a Greek Cyprus. Again, quoting from Mr. Klerides' book, the Greek Cypriot policy of giving the Turkish Cypriot partner the status of a minority did not succeed "because the Turkish side .... remained unretreating on the issue of accepting a minority status" (p. 237). Further on, (p. 105), Mr. Klerides underlines the fact that the Greek Cypriot preoccupation was that Cyprus should be a Greek Cypriot State with a protected Turkish minority; he continues: "the Turkish Cypriot preoccupation was to defeat any such effort and to maintain the partnership concept ... The conflict, therefore, was a conflict of principle and for that principle both sides were prepared to go on arguing and even, if need be, to fight, rather than compromise".

5. The second part of human rights in Cyprus, covering the period from December 1963 to August 1974, has to be examined in the light of these facts, where the Greek Cypriot community is striving to force its Turkish Cypriot partner to accept a minority status in lieu of its co-founder partnership status of sharing power on the basis of equality.

6. During this period all vested rights of the Turkish Cypriot partner were denied and defied, but the Turkish Cypriots refused to abandon their political rights in the body politic of Cyprus.

7. The result of this conflict was the separation of the partners from 1963. Since then, there has been no joint administration on the island because of the continued refusal of the Greek Cypriot leadership to share power with the Turkish Cypriots as equal partners.

8. Those years witnessed unprecedented cruelty and violence, leaving hundreds of Turkish Cypriots killed, and rendering one fourth of the population homeless refugees, with hundreds missing to this day. Simultaneously with these attacks, Turkish Cypriots, the co-founding partners of the bi-national Republic of 1960, were expelled in 1963 from all organs of the State by force of arms and thereafter were kept out of the government machinery. The continuous violations of the human rights to life, corporal integrity, liberty and property of the Turkish Cypriots between those years have been the main factors leading to the current political situation on the island.

9. The following notorious statements, among a great many, delivered by Archbishop Makarios go a long way in demonstrating the aim of the Greek Cypriot side and reflect abundantly how his side views the human rights of Turkish Cypriots in Cyprus. Below are two extracts from his statements:

> "Until this small Turkish community, forming part of the Turkish race which has been the terrible enemy of Helenism, is expelled, the duty of the heroes of EOKA can never be considered as terminated" (4 September 1962, speaking at his home village of Panayia).
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> "The Union of Cyprus with Greece required the extermination of the Turkish Cypriot community" (interview with Karin Kaemmereit published in the German weekly, Bunte Illustrierte, 1972).

10. The former British Prime Minister Sir Alec Douglas-Home, in his book The Way the Wind Blows (p. 242), commented on the human rights treatment of the Turkish Cypriots in Cyprus as follows:

> "I was early convinced of the view that if Archbishop Makarios could not bring himself to treat the Turkish Cypriots as human beings, he was inviting the invasion and partition of the island".

11. The annals of the United Nations, in particular the periodic reports of the successive United Nations Secretaries-General to the Security Council, shed light on these policies of political and economic embargo on the Turkish Cypriot people as a means to prepare the ground for the annexation of Cyprus to Greece.

12. Below are some extracts from the reports of United Nations Secretaries-General to the Security Council after 1963.

Denial of the freedom to live a decent life:

"... many of the 600 refugees who had come to Kokkina from neighbouring localities were living in caves under subnormal conditions which might present a health hazard in winter" (S/5950 Add. of September 1964).

Economic restrictions:

"... the official list of restricted goods (to the Turkish Cypriot people) still comprises 31 items. Most of these items have extensive civilian use ... In addition, other items not in the list are often subjected to seizure at Cyprus Police (Greek) check-points" (S/7350 10 June 1966).

Veritable siege:

"... the economic restrictions being imposed against the Turkish communities in Cyprus, which in some instances have been so severe as to amount to a veritable siege ..." (S/5950).

Restriction of foodstuffs:

"... on 3 September a supply of fresh meat and cheese in authorized quantities was prevented by the Cypriot forces (Greek) from entering the Turkish Cypriot sector of Nicosia, in violation of the understanding ..." (S/5950 of 10 September 1964).

Restriction on freedom of movement:

"... the fear and mistrust that followed the disappearance of the 32 Turkish Cypriot hostages ... brought all Turkish Cypriot road movement to a halt. Since then, the only major movement undertaken by the Turkish Cypriot community has been under United Nations escort" (S/5764 of 15 June 1964).

Denial of postal services:

"... the Government (The Greek Cypriot Administration) has since 25 April 1964, sent no international or domestic correspondence or parcels, except for one category, across the Turkish Cypriot sector of Nicosia" (S/5950 of September 1964).

13. All these cruelties, violence and severe violations of human rights, which intensified as of 1963, forced the Turkish Cypriot people to live in enclaves in safer places and to set up their own administration in such areas in exercise of their inherent right to self-determination.

14. After the Turkish intervention in 1974, and following the population exchange agreement between the two communities in 1975, the Turkish Cypriots and Greek Cypriots gathered in the northern and southern parts of the island, respectively. The Turkish Cypriots, as an exercise of their right to self-determination, then established their own administration in the North which eventually, in 1983, became the Turkish Republic of Northern Cyprus (TRNC). The TRNC is a country of laws, with its democratic, pluralistic and open society. Its citizens enjoy all human rights and freedoms, comparable to those enjoyed by the citizens of the Western World.

15. Although in 1974 the Turkish Cypriot people were liberated from direct and harsh human rights violations, perpetrated against them by the Greek Cypriot side, the Greek Cypriots, by using their usurped and illegitimate title of "Government of Cyprus", have been attempting, in a habitual manner, to continue to prevent the full enjoyment by the Turkish Cypriot side of their rights and liberties vis-à-vis the outside world. That is to say, having been deprived of the opportunity of oppressing and discriminating against the Turkish Cypriots within Cyprus, the Greek Cypriots are now endeavouring to isolate the Turkish Cypriot people from the rest of the world. Today, the Greek Cypriot side is employing a web of measures to hinder trade and communication of Northern Cyprus with the outside world, and to isolate the Turkish Cypriots in the political, economic, commercial, tourist and sports areas.

16. As part of this inhuman isolation, the Turkish Cypriots are prevented from communicating directly with the outside world. The Turkish Cypriots, as a result of the Greek Cypriots' manoeuvres, must have a "MERSIN-10, TURKEY" code on their incoming letters. This is a measure undertaken by the Turkish Cypriots to circumvent the hardship imposed by the Greek Cypriots.

17. Direct flights between Northern Cyprus and foreign countries are also prevented. The Greek Cypriot Administration of Southern Cyprus is, in this regard, constantly pressuring international organizations such as ICAO, IATA, and the civil authorities of many countries to prevent direct flights to Northern Cyprus. Furthermore, the Turkish Cypriots cannot travel anywhere freely because their passports are not accepted as identity cards or travel documents.

18. The Turkish Cypriots are denied the right to be represented in international forums on a par with the Greek Cypriots. In international bodies such as the United Nations General Assembly, the Council of Europe and

its associated organs, this very Commission of Human Rights and its sub-committees, the Greek Cypriot Representatives conduct a ruthless campaign of deceit to make certain that only their side is heard as the sole representative of Cyprus. Hence, one-sided resolutions and decisions are adopted in the absence of the Turkish Cypriots in such forums.

19. Trade and tourism between Northern Cyprus and other countries are severely obstructed by the Greek Cypriot campaign of deceit and their declaration of our sea and airports as illegal. The Greek Cypriots go to the extent of blacklisting and then imprisoning foreign sea captains who visit ports in the Turkish Republic of Northern Cyprus if they happen to call later at southern ports.

20. The arrest in December 1990 by the Greek Cypriot police of a Danish sea captain, Mr. Bromken Ingeman, who had previously vistited the Turkish Cypriot port of Famagusta, constitutes a part of the economic restrictions imposed on the Turkish Cypriot people and is a glaring example of the Greek Cypriots' disregard for the human rights of both the Turkish Cypriot people and foreign nationals.

21. Foreign visitors whose passports happen to bear the entry stamps of the Turkish Republic of Northern Cyprus, get into trouble if they visit Southern Cyprus.

22. As part of the Greek Cypriot restrictions imposed on the economic life of the North, in February 1989, the Greek Cypriots threatened with violence the London Regional Transport Authority to prevent, at the underground train stations, the display of posters that advertise tourism and holidays in the TRNC. Consequently, the posters were removed by the said authority. There are also other incidents of Greek Cypriots threatening some magazines and other media that advertise tourism in Northern Cyprus.

23. In the only remaining mixed village in Cyprus, Pyla, which is in the Buffer Zone, the Greek Cypriot authorities prevent their own citizens and tourists who visit the village from buying anything from the Turkish Cypriot inhabitants. The Turkish Cypriot people of Pyla have been under an economic siege for the past two years. The Greek Cypriot police has prevented freedom of movement by setting up road-blocks, and thus effectively intercepting and arresting anyone found in possession of goods purchased from the Turkish Cypriots. About a month ago, for instance, a Greek Cypriot was arrested for buying snails from a Turkish Cypriot. These incidents can be multiplied manifold. The Greek Cypriot daily, Fileleftheros, of 27 November 1990,

reported that a total of 316 events, detentions and interceptions took place in 1989 alone. It is paradoxical that while, on the one hand, the Greek Cypriots try to project the only mixed village of Pyla as an example of the "harmonious coexistence" of the Turkish Cypriot and Greek Cypriot peoples, they, on the other hand, display, in this village, some of the worst examples of their economic restrictions on the Turkish Cypriot people.

24. The Turkish Cypriots are prevented from participating in sports and cultural activities all around the world. In this context, their membership in international social and economic organizations is prevented.

25. Again, the Turkish Cypriot people receive only a fraction of the international aid given to Cyprus; the Greek Cypriot Administration of Southern Cyprus usurps almost all of this aid.

26. What makes this picture more appalling is the impossibility for the Turkish Cypriot people to seek justice before international forums, such as European human rights organs. Although paragraph 2 of Article 2 of the Universal Declaration of Human Rights states that "There shall be no distinction made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any limitation of sovereignty", the Turkish people of Cyprus are still being deprived of the exercise of certain rights.

27. In view of the foregoing, the Turkish Cypriot people of Northern Cyprus remain outside the effective protection of human rights instruments because of the unjustly unrecognized status of their Republic, and are left with the only option of asking for the help of motherland Turkey for safeguarding their human rights and security against the instigation by their southern neighbours of the international community. In the TRNC itself, human rights are well provided for as set out in the United States State Department Report on "Human Rights Situation in Cyprus" of 1989 where it is stated that the internal political system in Northern Cyprus is democratic and based on free elections, and basic human rights to its population are guaranteed in both theory and practice.